

REMARKS

Claims 1-17 are pending in the application with claims 1 and 15 being independent. Claims 9 and 13 have been cancelled. All the remaining pending claims have been amended to better specify the respective claimed inventions to overcome the applied references and/or to make the dependent claims more consistent with the claim from which it depends. No new matter has been added. Reconsideration of the application is respectfully requested in view of the amendments and following remarks.

***Acknowledgement of Foreign Priority
And Receipt of Certified Document***

Attached herewith is a copy of a stamped postcard (filed and stamped on July 7, 2004) along with a copy of the submission and first page of the certified document. This stamped postcard clearly demonstrates that Applicants previously submitted the certified copy of the 2002-349243 application as filed in Japan on 11/29/2002, as required by 35 U.S.C. 119(b). The postcard clearly shows that the Office had previously received the submission on July 7, 2004. Applicants hereby respectfully request that the Examiner acknowledge this fact.

Applicants do not wish to incur unnecessary expense to acquire another complete copy of the document, since the certified copy was indeed previously submitted to the Office. If necessary, Applicants respectfully request that the Office obtain an electronic copy directly from Japan in a similar manner as provided by the newly instituted procedures regarding electronic acquisition of certified copies of priority documents as set forth in the July 32, 2007 Official Gazette, particularly since this was an error on the part of the Office. If permission is required to obtain the certified copy of the priority documents, Applicants hereby provide such permission to the Office. Applicants respectfully request that the status of the certified priority document be provided in the next communication from the Office. If necessary, the Office may contact the undersigned at the number below if there are any further questions or concerns.

35 U.S.C. §103(a) Rejections

Claims 1-5 and 8-13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,124,700 to Nagai, *et al.* ("Nagai") in view of U.S. Patent No. 5,387,857 to Honda, *et al.* ("Honda"). Claims 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagai in view of Honda as applied to claim 1, and further in view of U.S. Patent No. 6,483,272 to Terada *et al.* ("Terada"). Claim 14 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagai in view of U.S. Patent No. 5,675,816 to Hiyoshi *et al.* ("Hiyoshi"). Claim 15 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagai in view of U.S. Patent No. 6,522,102 to Cheiky *et al.* ("Cheiky"), and further in view of Honda. Claim 16 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagai in view Cheiky, in view Honda as applied to claim 15, and further in view of U.S. Patent No. 3,886,427 to Long. Claim 17 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagai in view Cheiky, in view Honda as applied to claim 15, and further in view of U.S. Patent No. 4,609,861 to Inaniwa *et al.* Applicants respectfully traverse these rejections.

Referring the Examiner now to MPEP § 2143, titled "**Basic Requirements for a *Prima Facie* case of Obviousness**", the MPEP mandates that:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claimed limitations. (Emphasis added)

In view of the current amendments to the claims, Applicants submit that the prior art of record do not disclose or suggest, either when taken singly or when taken in

combination, all the claimed limitations, and as a result all the 103(a) rejections have been rendered moot.

For example, as to independent claim 1, the references of record fail to disclose or suggest, either when taken singly or when taken in combination, the output voltage setting circuit producing a predetermined number of voltages different in level and the control unit serving to select one of the predetermined number of voltages as a reference voltage. Moreover, the functions performed by the control unit of claims 3-5 and 7-8, for example, are also not disclosed or suggested in any of the references, either singly or when combined. Claim 15 is directed to a method of charging a battery as recited by claim 1.

Applicants respectfully submit that, for at least these reasons, the subject matter recited in the amended claims are not rendered obvious over the disclosures of the references of record. Therefore, independent claims 1 and 15, and those claims depending therefrom are now submitted to be allowable.

The 35 U.S.C. §103(a) rejections should now be withdrawn.

Serial No.: 10/724,205

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CONCLUSION

In view of the foregoing remarks, Applicants submit that all of the pending rejections has been properly addressed or rendered moot. The Examiner is respectfully requested to promptly pass the above application to allowance issue.

The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles J. Gross".

Charles J. Gross
Registration No. 52,972

Date: August 23, 2007

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McLean, VA 22102
(434)980-2229



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|--------------|---------------------------|---------------|--------------|
| Inventors: | Nobuhiro Takano | Date: | July 7, 2004 |
| Serial No.: | 10724,205 | Group Art.: | 2838 |
| Filing Date: | December 1, 2003 | Examiner: | Unassigned |
| For: | UNIVERSAL BATTERY CHARGER | Atty. Docket: | 03280090US |

Commissioner for Patents:

Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:

1. A Submission of Formal Drawings
2. 2 Sheets of Formal Drawings (Figs. 1, 2A and 2B);
3. A Submission of Priority Document;
4. A Certified Copy of the Priority Document; and
5. An acknowledgement postcard.

Andrew M. Calderon
Registration No. 38,093

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Andrew M. Calderon
Registration No. 38,093



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 03280090US

Nobuhiro Takano

Serial No.: 10/724,205

Group Art Unit: 2838

Filed: December 1, 2003

Examiner: Unassigned

For: **UNIVERSAL BATTERY CHARGER**

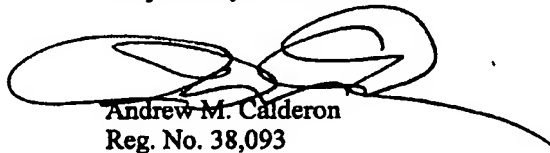
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF PRIORITY DOCUMENT

Sir:

Submitted herewith is a certified copy of Japanese Application Number 2002-349243
filed on November 29, 2002, upon which application the claim for priority is based.

Respectfully submitted,



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日本国特許庁
JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office.

出願年月日
Date of Application: 2002年11月29日

出願番号
Application Number: 特願2002-349243
[ST. 10/C]: [JP2002-349243]

願人
Applicant(s): 日立工機株式会社

2003年 8月18日

特許庁長官
Commissioner,
Japan Patent Office

今井 康



出証番号 出証特2003-3067339